

House Proposal of Amendment

S. 28

An act relating to gender-neutral nomenclature for the identification of parents on birth certificates.

The House proposes to the Senate to amend the bill as follows:

First: In Sec. 1, 18 V.S.A. § 5071, in subsection (a), in the first new sentence, after “a parent of the child” and before “shall file” insert or a legal guardian of a mother under 18 years of age

and in subsection (b), by striking out subdivision (2) in its entirety and by striking out the subdivision (1) designation

and by striking out subsection (e) in its entirety and inserting in lieu thereof the following:

(e) When a birth certificate is issued, a parent or parents shall be identified with gender-neutral nomenclature.

Second: By striking out Sec. 5 in its entirety and inserting in lieu thereof three new sections to read as follows:

Sec. 5. 18 V.S.A. § 5078 is amended to read:
§ 5078. ADOPTION; NEW BIRTH CERTIFICATE

(a) ~~The supervisor of vital records registration~~ Supervisor of Vital Records Registration shall establish a new birth certificate for a person born in the ~~state~~ State when the ~~supervisor~~ Supervisor receives a record of adoption as provided in 15 V.S.A. § 449 or a record of adoption prepared and filed in accordance with the laws of another state or foreign country.

(b) The new birth certificate shall be on a form prescribed by the ~~commissioner of health~~ Commissioner of Health. The new birth certificate shall include:

- (1) the actual place and date of birth;
- (2) the date of the filing of the original birth certificate; and
- (3) the adoptive parents as though they were natural parents;
- ~~(3) a notation that it was issued by authority of this chapter.~~

(c) The new birth certificate shall not contain a statement whether the adopted person was illegitimate and it shall not contain any content or statement that would distinguish it from any other original certificate of birth.

(d) The new certificate, and sufficient information to identify the original certificate, shall be transmitted to the clerk of the town of birth to be filed according to the procedures in 15 V.S.A. § 451.

(e) The ~~supervisor of vital records registration~~ Supervisor of Vital Records Registration shall not establish a new birth certificate if the ~~supervisor~~ Supervisor receives, accompanying the record of adoption, a written request that a new certificate not be established:

- (1) from the adopted person if 18 years of age or older; or
- (2) from the adoptive parent or parents if the adopted person is under 18 years of age.

(f) When the ~~supervisor of vital records registration~~ Supervisor of Vital Records Registration receives a record of adoption for a person born in another state, the ~~supervisor~~ Supervisor shall forward a certified copy of the record of adoption to the state registrar in the state of birth, with a request that a new birth certificate be established under the laws of that state.

Sec. 6. DEPARTMENT OF HEALTH REPORT; CERTIFIED COPIES OF BIRTH AND DEATH RECORDS

On or before January 15, 2015, the Commissioner of Health shall submit to the House and Senate Committees on Judiciary and the House and Senate Committees on Government Operations recommended requirements for the issuance of certified birth and death certificates in the State in a manner that complies with the generally accepted, national standards for the issuance of certified copies of birth and death certificates and that reduces the potential for identity theft. The recommendations shall include:

- (1) persons to whom a certified birth or death certificate may be issued;
- (2) application requirements for a birth or death certificate;
- (3) requirements for the custodians of certified birth or death certificates;
- (4) proposed legislative changes necessary to implement any recommendation; and
- (5) any other information that the Commissioner determines is relevant.

Sec. 7. EFFECTIVE DATE

This act shall take effect on July 1, 2014.